

**MAYOR AND COUNCIL OF NEW CASTLE
REGULAR MONTHLY COUNCIL MEETING
TOWN HALL – 201 DELAWARE STREET – NEW CASTLE
TUESDAY – FEBRUARY 13, 2001 – 7:00 PM**

ROLL CALL:

PRESENT

Councilman DiAngelo
Councilman Marinelli
President Blest

Councilman Davis
Councilman Reese

Also, present Mayor Houben, Mr. Robert Martin, City Administrator, Lt. Patrick Cannon, New Castle Police Department, Mr. Herb Swanson, Code Enforcement Officer, Mr. Jeff Bergstrom, Building Official, Mrs. Jean Williamson, Council Secretary and attached list of audience.

APPROVAL OF COMMITTEE REPORTS:

Mr. Martin read the following reports:

Police Department Report	-	January 2001
Building Official's Report	-	January 2001
Public Works Report	-	January 2001
Finance and Human Resource Report	-	January 2001

TREASURER'S REPORT:

Ms. Janet Carlin, City Treasurer read the treasurer's report for the month ending January 21, 2001.

Mr. Davis made a motion that all committee reports and the treasurer's report be accepted as read. Mr. Marinelli seconded the motion. Motion passed unanimously.

APPROVAL OF MINUTES BY DATE:

President Blest asked if council had read the minutes and asked if there were any questions or changes. Mr. Reese made a motion to accept the minutes as read. Mr. DiAngelo seconded the motion. Motion passed unanimously.

COMMUNICATIONS:

President Blest had 2 communications he read.

1. A letter from Ned and Sarah Hutchinson thanking Mr. Swanson for handling the feral cat problem with sensitivity.
2. The second letter was from the Arasapha Garden Club informing the public of a meeting to be held on March 1, 2001 at the Presbyterian Church Education Building.

BUSINESS FROM THE FLOOR:

There was no business from the floor at this time.

BUSINESS FROM THE MAYOR:

Mayor Houben had no business to discuss at this time.

BUSINESS FROM COUNCIL PRESIDENT:

President Blest introduced 2 members of the audience. The two members of the audience introduced were Stan Sykora who was just elected chairman of the Planning Commission and Chris Castagno who has filed for the position of Council President in the upcoming city election.

BUSINESS FROM CITY ADMINISTRATOR:

Mr. Martin read several items of importance to the citizenry.

1. Council received a letter from the New Castle Sailing Club with their 2001 racing schedule.
2. Mr. Martin read a legislative alert regarding Senate Bill 38.
3. A letter was received from the Delaware Credit Union League, Inc. thanking the city for their annexation.
4. A letter from Conectiv regarding refunds in the amount of \$1.45 million in credits for their customers.
5. Correspondence from The New Castle Historical Society stating that will not be able to sponsor A New Castle Christmas this year. The Visitors Bureaus will resume their Christmas activities.

6. Delaware Solid Waste Authority sent its annual report, it contained a picture of Mr. Parkowski, the attorney the city has retained for work on the Washington Street Project.
7. Council received correspondence from Brosius and Eliason Co. regarding the selling of a part of 3rd Street to the City of New Castle.
8. Correspondence from The New Castle Flower Beautification Project asking that an employee be devoted to the city's planting and gardening efforts.
9. Correspondence was received from Governor Minner announcing Terry Pepper will be director of the Office of County and Local Government Relations.

UNFINISHED BUSINESS:

1. **3rd and final reading of Ordinance #396 amending the Code of the City of New Castle by creating Chapter 215 – Lines and Grades.** President Blest read the ordinance by title only. Mr. Reese explained to the audience this ordinance is strictly for new building regarding drainage and what happens to the land when the contractor begins work. Mr. Marinelli made a motion to accept the ordinance as read. Mr. DiAngelo seconded the motion. Motion passed unanimously.
2. **Discussion on Parade Ordinance.** Mr. Reese asked that this item be tabled at this time. Council agreed. Item tabled.
3. **Consideration of FY 2000-2001 operating Budget Transfers.** Mr. Davis explained this was just a move of money from one account to another. Mr. Davis made a motion council proceed with the transfer of funds. Mr. Reese seconded the motion. Motion passed unanimously.
4. **1st and 2nd reading of Ordinance No. 397, amending the code of New Castle, Section #156-5, Business License Fees.** Mr. Davis read the ordinance in its entirety. Council had no questions on the ordinance. The third and final reading will be at next months meeting.

NEW BUSINESS:

1. **Resolution No. 2001-03 approving a Minor Subdivision for property located on Lukens Drive.** President Blest read the resolution in its entirety. Mr. Reese made a motion the resolution be accepted as read. Mr. Davis seconded the motion. Motion passed unanimously.
2. **Resolution No. 2001-04 authorizing City Council to pay out of city funds compensation to all members and officers of the City Board of Elections.** President Blest read the resolution in its entirety. Mr. Reese made a motion to accept the motion with a change that states individuals on the City Board of Elections must work the entire day. Mr. Davis seconded the motion. Motion passed unanimously.
3. **Reminder that February 23rd is the last day for filing for City Elective Offices.** President Blest stated he just wanted to remind everyone interested in a city office the deadline to register is February 23, 2001. Mr. Davis wanted to remind candidates that Mr. Reese had proposed that no candidates place any signs for the election until one-month prior.
4. **Bank Resolution in amount of \$41,070.00 to pay Amrel Systems, Inc. for the purchase of six (6) laptop computers.** Mr. Davis read the resolution in its entirety. He stated that the cost is just a pass through as the Police Department had gotten a grant to cover the costs. Mr. Reese stated he had gotten a call regarding the cost of the laptops. Lt. Cannon explained these are special laptops made for police cars that are rugged and will withstand change of temperatures. Mr. Davis then made a motion the resolution be accepted as read. Mr. Marinelli seconded the motion. Motion passed unanimously.
5. **Participation in Annual State Mosquito Control Program.** President Blest stated that every year in the past the city has participated in this program. He felt it was important considering the West Nile Virus, which is transmitted through mosquitoes. Mr. Marinelli made a motion for the city to participate in the mosquito control program. Mr. Reese seconded the motion. Motion passed unanimously.
6. **Confirmation of the Mayor's appointment, Virgil Irick, Jr. to the New Castle Planning Commission.** Mayor Houben introduced Virgil Irick, Jr. (known as Sonny) to council and the audience. Mayor Houben read Mr. Irick's credentials and asked council for their approval to appoint Mr. Irick, Jr. to the Planning Commission. Mr. Reese made a motion to appoint Mr. Virgil Irick, Jr. the mayor's appointment to the Planning Commission. Mr. Davis seconded the motion. Motion passed unanimously.

7. **Resolution No. 2001-05 adopting the new City Personnel Manual.** President Blest asked that this item be placed at the end of the agenda due to the late arrival of the city solicitor. Council agreed.
8. **Presentation of 3rd Street traffic re-routing.** Council presented a drawing showing the new traffic patterns for 3rd and Chestnut Streets egress to the city. This project will be completed by March 23, 2001 and the speed limit on 3rd Street will be lowered from 25 MPH to 15 MPH at that time.
9. **Motion to authorize Building Official to sign "No Objection Letter" as to property on 14th Street.** President Blest explained a resident on 14th Street went to get a mortgage and it was discovered that about 10 inches of his property is on a city right of way. It does not affect the city in any way. Mr. Reese made a motion to authorize Mr. Bergstrom to sign the "No Objection Letter". Mr. Davis seconded the motion. Motion passed unanimously.
10. **Authorizing Mayor to sign agreement with Del Dot regarding Ferry Cut-Off project.** Mr. Marinelli explained that Del Dot is going to re-surface and place sidewalks and curbs on the Ferry Cut-Off. Mr. Marinelli made a motion the city authorizes the Mayor to sign the agreement. Mr. Reese seconded the motion. Motion passed unanimously.
11. **Ms. Kathy Jackson to address Council on "cat's".** President Blest asked Ms. Jackson to please address council. Ms. Jackson stated she has a Humane Society south of the canal in New Castle County. Ms. Jackson stated there is a very bad problem in the entire state with feral cats. She stated what the organization has been doing is capturing the cats, neutering, getting them their required shots, marking them by clipping their left ear and returning them to the colony. She stated the feral cat population in Battery Park does have caretakers that feed them.
12. **Comments from the floor.**
 1. Teresa Del Ganio asked if council had received her video on feral cats? She explained to council the concept of the vacuum effect.
 2. Sue Brebner spoke of the catch, neuter and release technique is the most humane way to control the population of feral cats.

3. Linda Salisbury of 2nd Street also spoke about the feral cat colonies and the fact that the cats had their homes removed in the middle of winter. She was distressed by this and felt the cats will now come into the city looking for food and shelter.
4. Flo Russell stated the feral cat population was due to irresponsible pet owners. She also stated that the enforcement for pet owners cleaning up after their animals in Battery Park is not enforced.
5. Jane Pierantozzi, Reesa Larson, Janet Koczak, Peggy Baldwin, Micci Lilly, Anne Campbell and Sarah Hutchinson all spoke about the care they give the feral cat community and several organizations gave their cards and information on their organizations to council.
6. Bernice Tighe spoke about the liter left from the plates and cans after feeding the cats.
7. Mr. Swanson then spoke about becoming an expert on cats and the requirement to prove the animal is vaccinated. Mr. Swanson informed the audience our town borders on a bird sanctuary and the city of Newark has a leash law for cats.
8. Janet Koczak asked what the WILMAPCO plans are for Washington Street?
9. John DiMondi stated that since the 3rd Street traffic problem had been resolved was council going to direct its attention on the other serious traffic problems on 6th and 7th Streets?
10. Earl Carpenter stated he agreed with Mr. DiMondi about the traffic problems on 6th and 7th Streets and thinks in the State of Delaware some towns are more important than others are. He stated that on Route 299 from Odessa to Middletown they prohibit trucks on that 5-mile stretch. He asked why should trucks then be allowed to use Route 9 through Dobbinsville to Washington Park?

7. (con't) **Resolution No. 2001-05 adopting the new City Personnel Manual.** Mr. Reese made a motion council accept the new City Personnel Manual. Mr. Davis seconded the motion. Motion passed unanimously.

President Blest asked for a motion to adjourn the public meeting. Mr. Reese made a motion to adjourn the public meeting and council enter into executive session to discuss personnel matters. Mr. Marinelli seconded the motion. Motion passed unanimously.

Meeting adjourned.

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**EXECUTIVE SESSION MINUTES AS DICTATED BY MR. ROBERT MARTIN,
CITY ADMINISTRATOR:**

The Mayor and Council met with Wendy Voss, Esq. at 8:45 p.m. to discuss potential litigation in regards to a grievance and unfair labor practice filed by AFSCME.

Approximately 9:20 p.m. Councilman Reese made a motion to return to open session. Councilman Davis seconded the motion. Motion passed unanimously.

Council President advised that there would be a special meeting on Monday February 26, 2001 at 7:00 p.m. to discuss the pending Parade and Public Assembly Ordinance and other matters.

Councilman Reese made a motion to adjourn the open session at 9:30 p.m. Councilman Davis seconded the motion. Motion passed unanimously.

Meeting adjourned

Respectfully submitted,

A handwritten signature in cursive script, reading "Patricia K. Fuller".

Patricia K. Fuller
City Clerk